

**REMARKS**

The Office Action dated January 20, 2010 has been carefully considered. Claim 1 has been amended. Support for the amendment to claim 1 is found throughout the specification and in particular on page 8, lines 26-27 and page 16, lines 10 to 11. No new matter has been added. Claim 3 has been canceled. Claims 4-12 directed to claims which have been withdrawn from consideration have been cancelled. Applicants respectfully retain the right to file a divisional application directed to the cancelled claims. Claims 1 and 2 are in this application.

The Information Disclosure Statement was not considered in its entirety as failing not to provide copies of each foreign reference. Applicants submit herewith a supplemental Information Disclosure Statement including the foreign patent documents in their entirety.

The previously presented claim 1 was rejected under 35 U.S.C. § 103 as obvious in view of JP 08-061414 to Ebihara et al. in combination with U.S. Patent No. 5,366,678 to Nomizo et al.

Ebihara et al. disclose a manufacturing method of making deniers of thermoplastic resin winded to random looped shapes making a mutual contact portion of each loop weld, heating to a heat deflection temperature while accommodating the network structure object in a mold, compressing into a predetermined thickness and back cooling. In contrast to the invention defined by the present claims, Ebihara et al. do not teach or suggest a male die removably engaged with a base adapted for permanent attachment to the three dimensional structure. Further, Ebihara et al. do not teach or suggest compressing the three dimensional structure between the base and the bottom of the cavity into a shape corresponding with a shape of the base and a thickness corresponding to the length of the stroke of the male-die into the female die. In addition, Ebihara et al. do not teach or suggest that the female die is made from concrete.

As described on page 8, lines 26-27, the concrete die dispenses with the use of a separating agent and thus reducing the cost of molding. Further, as described on page 8, line 21, to page 9, line 3, as the male die is removably engaged with a base adapted for permanent attachment to a three dimensional structure, the need for separate preparation of the male die is avoided allowing the molding costs to be reduced. These features are not disclosed or suggested in Ebihara et al.

Nomizo et al. disclose a method of manufacturing a cushion material for seat pads by filling a mold part that will form the cushion material with mixed fiber and applying heat to a specific region of the mixed fiber that will form a bottom surface. More heat is supplied to the upper part of the mold so that more heat is supplied to the lower surface of the seat pad formed in the upper mold part to provide a greater apparent density.

In contrast to the invention defined by the present claims, Nomizo et al. do not teach or suggest a male die removably engaged with a base adapted for permanent attachment to the three dimensional structure and do not teach or suggest compressing the three dimensional structure between the base and the bottom of the cavity into a shape corresponding with a shape of the base and a thickness corresponding to the length of the stroke of the male-die into the female die. Further, Nomizo et al. do not teach or suggest that the female die is made from concrete. Accordingly, Nomizo et al. do not cure the deficiencies of Ebihara et al. noted above and the invention defined by the present claims is not obvious in view of Ebihara et al. in combination with Nomizo et al.

Claim 2 was rejected under 35 U.S.C. § 103 as obvious in view of JP 08-061414 to Ebihara et al. in combination with U.S. Patent No. 5,234,638 to Jang. As described above, Ebihara et al. do not teach or suggest each of the steps of making a cushion material. Jang discloses a surfboard making process including the steps of preparing a polyethylene bag to hold a foamed EPS (expanded polystyrene), treating the polyethylene bag with the foamed EPS through a secondary foaming process, and then putting the product thus obtained from the secondary foaming process in the molding cavity of a molding die for treating into a surfboard by a steam bath. For cutting the polyethylene non-woven cloth 1, a heat cutter may be used so that the edges after cut can be simultaneous sealed. Jang teaches that edges of a polyethylene non-woven cloth are simultaneously sealed using a heat cutter. However, Jang does not teach or suggest that open ends of edge filaments of a three-dimensional structure are fused together. Furthermore, Jang does not teach or suggest a male die removably engaged with a base adapted for permanent attachment to the three dimensional structure and do not teach or suggest compressing the three dimensional structure between the base and the bottom of the cavity into a shape corresponding with a shape of the base and a thickness corresponding to the length of the

stroke of the male-die into the female die. Further, Jang does not teach or suggest that a female die is made from concrete. Accordingly, Jang does not cure the deficiencies of Ebihara et al. noted above and the invention defined by the present claim 2 is not obvious in view of Ebihara et al. in combination with Jang.

In view of the foregoing, Applicants submit that all pending claims are in condition for allowance and request that all claims be allowed. The Examiner is invited to contact the undersigned should he believe that this would expedite prosecution of this application. It is believed that no fee is required. The Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account No. 13-2165.

Respectfully submitted,



Dated: March 31, 2010

---

Diane Dunn McKay, Esq.  
Reg. No. 34,586  
Attorney for Applicant

PORZIO, BROMBERG & NEWMAN, P.C.  
29 Thanet Road, Suite 201  
Princeton, NJ 08540  
Tel: 609 924 8555  
Fax: 609 924 3036